



— State of —
North Dakota
Office of the Governor

John Hoeven
Governor

Executive Order 2010-09.1
(Revised April 6, 2010)

WHEREAS, North Dakota has experienced a severe spring storm that has brought snow and strong winds to the state causing power outages affecting over 5,000 people in 24 counties; and

WHEREAS, between 3,000 and 4,000 power line poles and more than 25 transmission towers are down across the state, which will take significant time and resources to repair; and

WHEREAS, companies carrying supplies to repair downed electrical lines are working around the clock to provide companies and cooperatives with vital products to help restore power; and

WHEREAS, restoring power is vital to help ensure basic necessities are available to people and livestock; and

WHEREAS, it is the responsibility of the state to assist the people of North Dakota in addressing the emergencies, disasters, and other hardships that may face the state and its citizens.

NOW, THEREFORE, I, John Hoeven, Governor of North Dakota, by virtue of the authority vested in me by Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code § 37-17.1, do hereby declare that a state of emergency exists in North Dakota that requires relief from North Dakota Century Code § 39-32-02 pertaining to hours of service for drivers of commercial motor vehicles transporting electrical products to power suppliers.

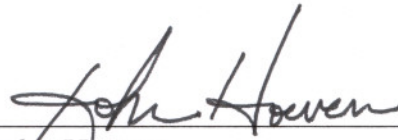
I further order that the same emergency requires relief under North Dakota Century Code § 39-12-23 pertaining to weight restrictions. Load restrictions for non-divisible loads and spring road restrictions for divisible loads for the affected areas, including Morton, Grant, Sioux, Oliver, Burleigh, McHenry, Ward, Sheridan, Stark, Wells and McLean counties, as well as the Standing Rock Sioux Reservation, are being waived for all utility repair vehicles and vehicles delivering necessary supplies for the utility repair effort.

This order is issued on the foregoing basis and on the following conditions:

1. Nothing in this order shall be construed to relieve carriers operating under this order from regulations under state law pertaining to qualifications of drivers, driving of commercial motor vehicles, or parts and accessories necessary for the safe operation of vehicles.
2. Carriers, while under this order, shall not require or allow fatigued drivers to operate a motor vehicle. A driver who informs a carrier that she/he needs immediate rest shall be given at least ten consecutive hours before the driver is required to return to service.

This order supersedes Executive Order 2010-09 and shall remain in effect until 11:59 p.m. on April 16, 2010, or for the duration of the emergency, whichever is less.

Executed at Bismarck, North Dakota, this 6th day of April 2010.



John Hoeven
Governor

ATTEST:



Secretary of State

Deputy